

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. <sup>1</sup>	:	
	X	

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS' JOINDER TO AMBAC  
ASSURANCE CORPORATION'S MOTION FOR ENTRY OF ORDER AUTHORIZING  
DISCOVERY UNDER BANKRUPTCY RULE 2004 CONCERNING  
COMMONWEALTH ASSETS**

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Official Committee of Unsecured Creditors (the "Committee")<sup>2</sup> hereby files this joinder (the "Joinder") to *Ambac Assurance Corporation's Motion for Entry of Order Authorizing Discovery Under Bankruptcy Rule 2004 Concerning Commonwealth Assets* [Dkt. No. 15802] (the "Rule 2004 Motion"). In support of this Joinder, the Committee respectfully states as follows:

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> The Committee is the official committee of unsecured creditors for all Title III Debtors, other than PBA and COFINA.

1. The Committee files this Joinder to request that it be permitted to receive any and all documents or information produced by the Oversight Board, AAFAF, the Commonwealth, or any other individual or entity as a result of the Rule 2004 Motion. The Committee also requests the ability to participate in any meet and confer process related to the Rule 2004 Motion.

2. The Commonwealth's creditors need transparency into its financial condition to fully evaluate any proposed plan of adjustment and to understand the full range of Commonwealth assets available to pay its creditors. The Committee and its constituents are entitled to this information to the same extent as Ambac and other creditors.

3. The Committee previously filed a joinder in support of Ambac's original Rule 2004 motions. *Joinder of Official Committee of Unsecured Creditors in Ambac Assurance Corporation's Motions for Rule 2004 Discovery Concerning Commonwealth Assets [ECF No. 9022] and Commonwealth Cash Restriction Analysis [ECF No. 9023] [Dkt. No. 10425]*. In a February 12, 2020 informative motion, Ambac, the Oversight Board, and AAFAF informed the Court that they had permitted the Committee to participate in any meet and confer sessions on the original Rule 2004 motions, and that they did not object to the Committee's continued participation. *Joint Status Report of Movant Ambac Assurance Corporation and Respondents the Financial Oversight and Management Board for Puerto Rico, As Representative of the Commonwealth of Puerto Rico, and the Puerto Rico Fiscal Agency and Financial Advisory Authority With Respect to the Rule 2004 Motions [Dkt. No. 10875]*.

4. Moreover, in this Court's December 16, 2020 Order [Dkt. No. 15454] on the joinder the Committee filed regarding *Ambac Assurance Corporation's Motion for an Order Directing Cash Rule 2004 Discovery from the Financial Oversight and Management Board for Puerto Rico* [Dkt. No. 15220], the Court indicated that it "expects the parties to continue to

cooperate in coordinating discovery with the Joinder Entities [including the Committee],” and that nothing in the Order precludes the parties to the motion from including the Committee and the other Joinder Entities in meet and confer efforts. Order, at 3. The Committee seeks the same rights in connection with the present Rule 2004 Motion.

5. The Committee reserves its right to independently seek discovery from the Oversight Board, AAFAF, the Commonwealth (including any of its agencies, instrumentalities, and public corporations), or any other individual or entity.

*[Remainder of page intentionally left blank]*

Dated: March 2, 2021

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- and -

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